

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION

UNITED STATES OF AMERICA,)
)
)
Plaintiff,)
)
)
vs.) No. 21-03067-01-CR-S-BCW
)
)
DAVID PANBEHCHI,)
)
)
Defendant.)

UNCONTESTED MOTION FOR CONTINUANCE OF TRIAL SETTING

Comes now Defendant, David Panbehchi, through counsel and hereby moves that this case be continued from its current trial setting on the August 16, 2021, Joint Criminal Docket, and reset to the May 2, 2022, Joint Criminal Docket. In support of this motion for continuance, the Defendant states as follows:

1. A two count Indictment was filed against Mr. Panbehchi on May 19, 2021. The Office of the Federal Public Defender was appointed to represent Mr. Panbehchi on June 17, 2021.
2. Additional time is needed to conduct critical evaluations of the discovery, relevant guidelines, potential motions to suppress, and to otherwise make a global evaluation of the case and options to resolve this matter.
3. This continuance is not sought for the purpose of undue delay, but is sought in truth and fact that the Defendant may be afforded due process of law under the Fifth Amendment to the United States Constitution and afforded effective assistance of counsel

under the Sixth Amendment to the United States Constitution. In accordance with 18 U.S.C. §§ 3161(h)(7)(A) and (B)(I) and (IV), it is submitted that the above-stated reasons for a continuance outweigh the best interests of the public and the Defendant to a speedy trial which is required by 18 U.S.C. § 3161(c)(1). In short, the procedural components that currently exist in this case necessitate a continuance to avoid a miscarriage of justice and/or to ensure that Mr. Panbehchi has clear, meaningful, and effective access to counsel while preparing to resolve this case.

4. Under the provisions of 18 U.S.C. § 3161(h)(7)(A), the period of time until the next criminal trial docket should be excluded in computing the period of time in which the Defendant should be brought to trial under the provisions of the Speedy Trial Act.

5. Finally, counsel for the government, Randy Eggert, does not oppose this motion.

WHEREFORE, Defendant, David Panbehchi, hereby moves that this case be continued from its current trial setting on the August 16, 2021, Joint Criminal Docket, and be reset on the May 2, 2022, Joint Criminal Docket.

Respectfully submitted,

/s/ Ian A. Lewis

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Attorney for Defendant

July 13, 2021

CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of July, 2021, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which sent e-mail notification of such filing to all CM/ECF participants in this case.

/s/ Ian A. Lewis

IAN A. LEWIS